

DEPARTMENT OF CORRECTION

INMATE REQUEST TO STAFF MEMBER

TO: MARY STOWE, TREASURER DATE: 12/7/04
 (name and title of officer or staff)

SUBJECT: State completely and concisely the problem you would like assistance in resolving. (give details)

Volumes I, II AND III of my Appendix
 (200 pages each x 3 large manila envelopes)
 ARE MISSING FROM FEDERAL COURT
 FILING DOCKET ENTRIES THAT LIST ONLY VOLUME IV
 RICK SALOMON COPIED THESE IN MID-LATE
 SEPTEMBER 2004 AND I SENT THEM OUT BY
 103 CMR 481.10 INDIGENT LEGAL POSTAGE.

I NEED TO CHECK MY SEPTEMBER +
 OCTOBER 2004 MAIL LOG TO SEE IF THEY WENT OUT.

(See ATTACHED VERIFICATION OF MISSING FILINGS)
 (use other side of page if required)

ACTION REQUESTED: (State in what manner and/or action should request be handled
 [be specific and detailed]).

PLEASE SEND ME LISTING OF OUTGOING LEGAL
 MAIL TO FEDERAL COURT FOR MONTHS
 OF SEPTEMBER 2004 THROUGH 103 CMR
 481.10 INDIGENT LEGAL MAIL. THANK YOU.

Name: Mike Watson No. ay44692 Living Quarters: B-1 cell #21

Work Assignment:

Note: Following instructions in the preparation of your request can mean early disposition, in an expeditious and intelligent manner. You will be interviewed, if it is necessary, to satisfactorily handle your request. Failure to be specific and detailed stating your problem, may result in no action being taken.

DISPOSITION : (Do not write below)

417 3 legal US District Court

418 3 legal US District Court

413 1 legal US District

4107 1 legal to US District

These are the listing for legal mail processed to the
 US District Court.

Received 1/28/04 by Nurse Rotator

09/15/2004	•25 <i>SPRINT 6/11/04</i>	MOTION to Strike Respondents Answer, Supplemental Answer and Motion To Dismiss for Bad faith Omission of 01-P-1792 Exhaustion Record and False Answer Denial of Such Knowledge <u>15</u> Answer to Complaint, <u>16</u> MOTION to Dismiss <i>petition for writ of habeas corpus</i> , <u>18</u> Answer to Complaint by Michael Kevin DuPont.(Barrette, Mark) (Entered: 09/15/2004)
09/15/2004	•29 <i>SPRINT 6/11/04</i>	Third MOTION to Appoint Counsel To Expose the Respondent's Misconduct and Expedite Hearings For Release Within Six Months Remaining To be served on Twenty Year Sentence by Michael Kevin DuPont.(Barrette, Mark) (Entered: 09/15/2004)
09/20/2004	•31	Respondents 01-P-1792 BRIEF Exhibit Opposing Grounds 1,3,4,5,6,7, &15 on the Merits and not contesting State Habeas Corpus Exhaustion Remedy by Michael Kevin DuPont to <u>16</u> MOTION to Dismiss <i>petition for writ of habeas corpus</i> . (Barrette, Mark) (Entered: 09/23/2004)
09/20/2004	•32 <i>Q</i>	State Exhaustion 01-P-1792 Appendix Volume IV Transcripts by Michael Kevin DuPont. (Barrette, Mark) (Entered: 09/23/2004)
11/19/2004	•	Judge George A. O'Toole Jr.: ORDER entered- Upon review of the file, this action is referred to the Magistrate Judge for appointment of counsel only.(Lyness, Paul) (Entered: 11/19/2004)
11/19/2004	•33	Judge George A. O'Toole Jr.: ORDER entered REFERRING CASE to Magistrate Judge Marianne B. Bowler Referred for: to appoint CJA Attorney (Attachments: # <u>1</u> Attorney assignment request# <u>2</u> Appointment of Counsel)(Edge, Eugenia) (Entered: 11/22/2004)

I mailed out several motions
 Appendix Volume I: (200 pages) > 3 big
 Appendix Volume II: (200 pages) > many envelopes
 Appendix Volume III: (200 pages) > missing
 that never got it and back
 Federal court came 2 2?
 never to me . . .

08/20/2004	•15	ANSWER to Complaint <i>habeas corpus petition</i> by David Nolan. (Reardon, Susanne) (Entered: 08/20/2004)
08/20/2004	•16	MOTION to Dismiss <i>petition for writ of habeas corpus</i> by David Nolan.(Reardon, Susanne) (Entered: 08/20/2004)
08/20/2004	•17	MEMORANDUM in Support re <u>16</u> MOTION to Dismiss <i>petition for writ of habeas corpus</i> filed by David Nolan. (Reardon, Susanne) (Entered: 08/20/2004)
08/23/2004	•18	Supplemental ANSWER to Complaint(Volume 1&2***Too Large to be Scanned***) by David Nolan.(Barrette, Mark) (Entered: 08/24/2004)
08/24/2004	•22	Petitioner's Filing of Grievance Appeal # 4420 Concession by Respondent Nolan's 8/3/04 Exhibit Stipulating Full Exhaustion of Apprendi-Based Blakely v. Washington Grounds 3,6,7 and 15 Allowing Partial Summary Judgment Immediate Release from Michael Kevin Dupont. (Barrette, Mark) (Entered: 08/30/2004)
08/25/2004	•23	Opposition re <u>16</u> MOTION to Dismiss <i>petition for writ of habeas corpus</i> filed by Michael Kevin DuPont. (Barrette, Mark) (Entered: 08/31/2004)
08/31/2004	•24	Petitioners Decisional Support for Summarily Denying the Motion to Dismiss from Michael Kevin Dupont. (Barrette, Mark) (Entered: 08/31/2004)
09/09/2004	•26	MOTION Investigation of State Atty. General's Office Targeting Some Federal Judges For Omission of Collateral Exhaustion Records by Michael Kevin DuPont.(Barrette, Mark) (Entered: 09/15/2004)
09/09/2004	•27	NOTICE of Intent To File Dupont v O'Toole Bivens Complaint For Untrained Judge Failing To Compel Respondent to File 01-P-1792 Exhaustion Record and Delay Supporting Judge O'Toole Disqualifying Himself by Michael Kevin DuPont (Barrette, Mark) (Entered: 09/15/2004)
09/09/2004	•28	Demand for Expedited Decision on Merits and Assigned Counsel To Facilitate Release or for Judge O'Toole to Disqualify Himself by Michael Kevin DuPont. (Barrette, Mark) (Entered: 09/15/2004)
09/09/2004	•30	Verified Demand For Denial of Respondent's Motion to Dismiss and for Exposure of AAG Susan Reardon's Misconduct or for Judge O'Toole to Disqualify Himself by Michael Kevin DuPont to <u>16</u> MOTION to Dismiss <i>petition for writ of habeas corpus</i> . (Barrette, Mark) (Entered: 09/15/2004)

Attachment C

**MASSACHUSETTS CORRECTIONAL INSTITUTION
CEDAR JUNCTION
PHOTOCOPY REQUEST**

Main Law Library

All Documents requested for copy must be original legal documents in accordance with
103 CMR 478, (Paragraph 478.11 Section 4).

Name: Mr Robert W/44692 ID# 10# Date: 12/29/04

BLOCK: 1 CELL: 16

Number of original legal documents (pages)
to be copied:

51 = Judge O'Goolf
Exhibits 0531 = Att AG Personel1 = Atty John Hanabock

Number of copies requested:

One Sided 1 Two Sided

Description of material to be copied: (attorney letter, motion,
brief)

Motion w/ exhibits

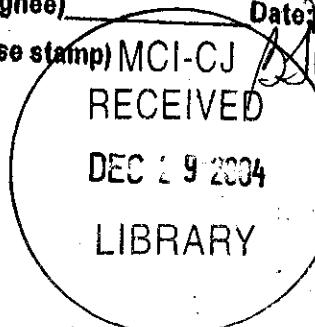
Justification: (docket number, tracking schedule, official court
notice) 04-11431-GAO

Received: Rec/Officer _____ Date: _____ Time: _____

Reviewed: Librarian (or designee)

Date: 12/29/04 Time: _____

Copied and Completed by: (use stamp) MCI-CJ Deyleus

3:30 p.m.**COMPLETED**

DEC 29 2004

By L.V.

MCI-CJ Law Library

Note
Office
Nagle
Library due 12/30/04
Wenning B.W.

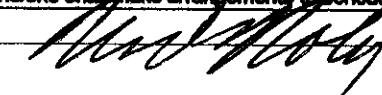
COMMONWEALTH OF MASSACHUSETTS

5299

DEPARTMENT OF CORRECTION
INMATE GRIEVANCE APPEAL FORM
FORWARD TO SUPERINTENDENT

Name	DUPONT MICHAEL		Institution	MCI CEDAR JUNCTION	
Number	W44692	Housing	BLOCK 1	Appeal Date	09-SEP-2004
Appeal Requested	I was prejudiced and harmed in Dupont v. Nolan #04-11431-GAO by six weeks denial of access to my Dupont V. Commissioner 01-P-1792 seized brief and evidence that was. Atty General Reardon concealed from Judge O'Toole unethically. Staff told me there would a new policy, then a Sgt. told me the CPO's union was protesting their role, so noboby gave me new access policy.				
Staff Recipient	I incorporate herein by reference all facts from grievance #5299 and I request up to one-hundred thousand dollars chapter 258 tort damages for negligent failure to train and supervise negligent guards. I also request a copy of the new policy for access to seized/stored files and tha I be scheduled for access again as soon as possible.				
Signature	Aucoin Ann Marie CO I				

DECISION BY SUPERINTENDENT

Appeal Received Date	14-SEP-2004	Decision Date	21-SEP-2004	Decision	PARTIAL APPROVAL
Decision By	Nolan David F SUPERINTENDENT				
Reasons	All requests for legal exchanges shall be submitted in writing to the Property Department. Once received by the Property Officer he/she shall make arrangements to schedule you for a legal exchange.				
Signature	 Date 				

INMATE RECEIPT

Inmate's Name	DUPONT MICHAEL	Institution	MCI CEDAR JUNCTION	
Number	W44692	Appeal Received Date	14-SEP-2004	
Staff Recipient	Aucoin Ann Marie CO I			
Superintendent's Signature				

COMMONWEALTH OF MASSACHUSETTS**DEPARTMENT OF CORRECTION****INMATE GRIEVANCE FORM****FORWARD TO INSTITUTIONAL GRIEVANCE COORDINATOR (IGC)**

Name	DUPONT MICHAEL	Grievance#	5299	Institution	MCI CEDAR JUNCTION
Commit No.	W44692	Housing	BLOCK 1	Date Of Incident	20040820
Complaint	On 7-18-04 at the same time I wrote Sgt Padula about denial of toilet paper for grievance #4738, I put in the same envelope a request to staff for access to my seized/stored legal files but Sgt Padula has not scheduled me for access in the past 5 weeks and also has not scheduled many other prisoners who request a legal exchange.				
Remedy Requested	Investigate whether or not Sgt Padula put me on legal storage exchange list as a result of the 7-18-04 request to staff form I sent him and because I have Dupont VS Nelan, 04-11431-GAO, federal court opposition filing time limit and I need my transcripts, please schedule me for legal exchange this week.				
Staff Recipient	Aucoin Ann Marie CO I				
Staff Involved					
Signature	<i>Michael Dupont</i>				

RECEIPT BY INSTITUTIONAL GRIEVANCE COORDINATOR

Date Received	20040824	Decision Date	20040828
Signature	Aucoin Ann Marie CO I		
Final Decision	PARTIAL APPROVAL		
Decision	You are scheduled to access your excess legal storage the week of August 29th-September 4th.		
Signature	<i>Annmarie Aucoin</i>	Date	<i>8/28/04</i>

Denied grievances may be appealed to the Superintendent within 10 working days of Institution Grievance Coordinator's decision.

INMATE RECEIPT

Name	DUPONT MICHAEL	Institution	MCI CEDAR JUNCTION
Commit No.	W44692	Grievance#	5299
Signature	Aucoin Ann Marie CO I	Date Received	20040824

*Response received Sept 7, 2004
by Michael V. Hall
following my getting 1/2 hour
access Thursday*